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IAB CASE NO. **FO2337068**

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G- PHOTOGRAPH SHOWN TO DEPUTY CHEATHAM

H- PHOTOGRAPHS SHOWN TO DEPUTY MORENO

I- PHOTOGRAPHS SHOWN TO DEPUTY WENDLAND

MISCELLANEOUS DOCUMENTS

SUSPECT MIRANDA'S CONSOLIDATED CRIMINAL HISTORY REPORT

PM IN-SERVICE FOR JUNE 29, 2013

ADMINISTRATIVE RIGHTS FORMS

UNIT DETAIL PRINTOUTS OF DEPUTIES [redacted] AND PARRA

761551N25A - SH-AD-32A

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

A Tradition of Service

DATE: June 9, 2014
FILE NO:

~~OFFICE~~ CORRESPONDENCE

FROM: STEPHEN B. JOHNSON, COMMANDER
CUSTODY SERVICES DIVISION
SPECIALIZED PROGRAMS

TO: ALICIA E. AULT, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS

Case Number:	FO2337068
Incident:	Category 3 Use of Force
Incident Date:	June 29, 2013
Unit:	Lakewood Station
Suspect:	Raul Alberto Miranda, MH/12-26-94
Involved Employees:	Deputy [redacted] Deputy [redacted] Deputy Juan-Carlos Parra #[redacted]
EFRC Date:	June 5, 2014

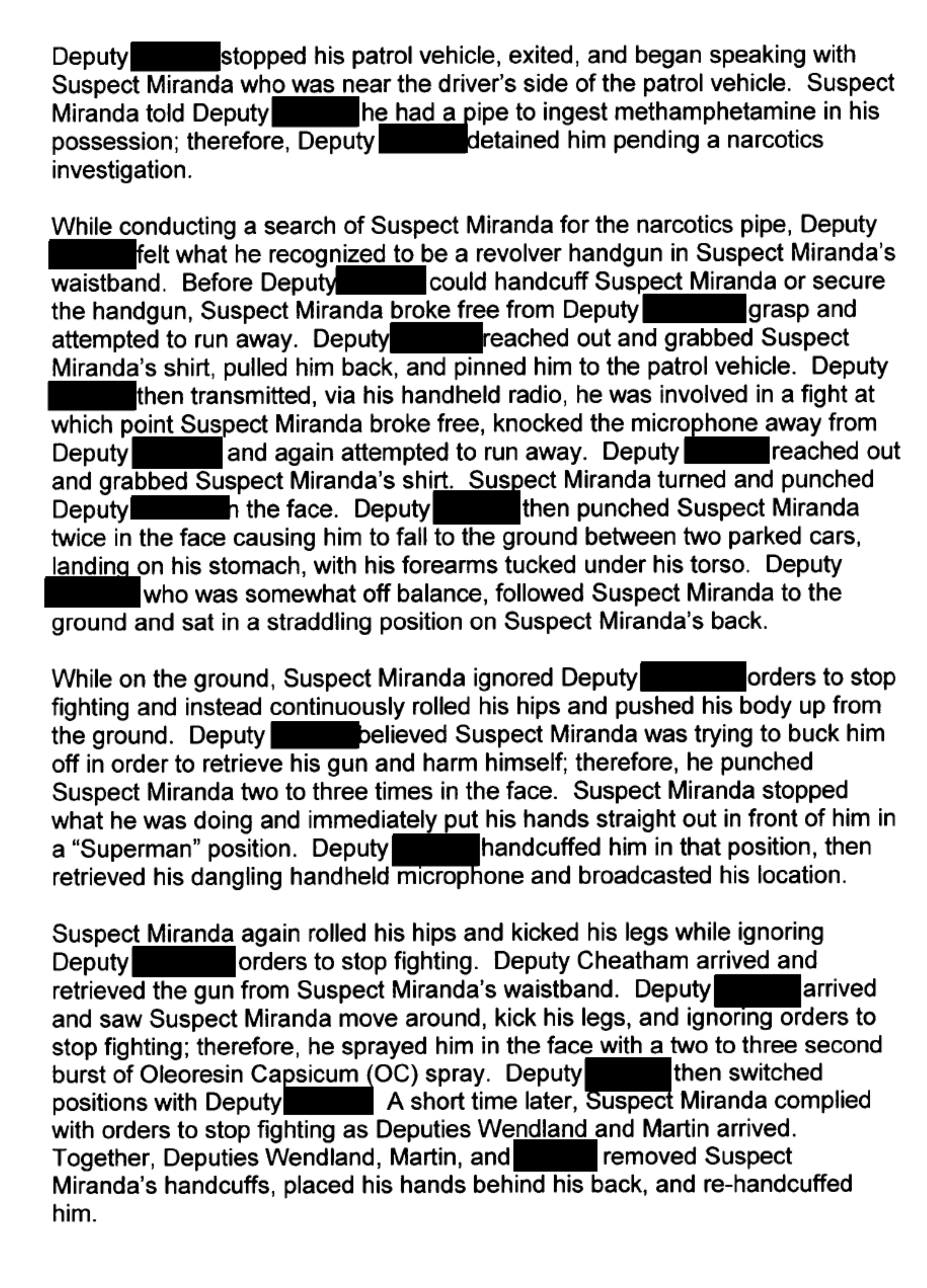
The Executive Force Review Committee (EFRC) consisting of Commanders Stephen Johnson, Patrick Maxwell, and Ralph Webb met and reviewed the above case.

FORCE POLICY RELATING TO INCIDENT:

Law enforcement officers are entitled to use the amount of force that is reasonable and necessary to make an arrest, prevent an escape, or overcome resistance.

FINDINGS:

Deputy [redacted] was conducting a patrol check of the Bellflower Travel Inn when he was driving northbound through the rear parking lot and saw Suspect Miranda walking westbound. He recognized Suspect Miranda from previous contacts he had with him and knew him to be a narcotic's user.



Deputy [redacted] stopped his patrol vehicle, exited, and began speaking with Suspect Miranda who was near the driver's side of the patrol vehicle. Suspect Miranda told Deputy [redacted] he had a pipe to ingest methamphetamine in his possession; therefore, Deputy [redacted] detained him pending a narcotics investigation.

While conducting a search of Suspect Miranda for the narcotics pipe, Deputy [redacted] felt what he recognized to be a revolver handgun in Suspect Miranda's waistband. Before Deputy [redacted] could handcuff Suspect Miranda or secure the handgun, Suspect Miranda broke free from Deputy [redacted] grasp and attempted to run away. Deputy [redacted] reached out and grabbed Suspect Miranda's shirt, pulled him back, and pinned him to the patrol vehicle. Deputy [redacted] then transmitted, via his handheld radio, he was involved in a fight at which point Suspect Miranda broke free, knocked the microphone away from Deputy [redacted] and again attempted to run away. Deputy [redacted] reached out and grabbed Suspect Miranda's shirt. Suspect Miranda turned and punched Deputy [redacted]n the face. Deputy [redacted] then punched Suspect Miranda twice in the face causing him to fall to the ground between two parked cars, landing on his stomach, with his forearms tucked under his torso. Deputy [redacted] who was somewhat off balance, followed Suspect Miranda to the ground and sat in a straddling position on Suspect Miranda's back.

While on the ground, Suspect Miranda ignored Deputy [redacted] orders to stop fighting and instead continuously rolled his hips and pushed his body up from the ground. Deputy [redacted] believed Suspect Miranda was trying to buck him off in order to retrieve his gun and harm himself; therefore, he punched Suspect Miranda two to three times in the face. Suspect Miranda stopped what he was doing and immediately put his hands straight out in front of him in a "Superman" position. Deputy [redacted] handcuffed him in that position, then retrieved his dangling handheld microphone and broadcasted his location.

Suspect Miranda again rolled his hips and kicked his legs while ignoring Deputy [redacted] orders to stop fighting. Deputy Cheatham arrived and retrieved the gun from Suspect Miranda's waistband. Deputy [redacted] arrived and saw Suspect Miranda move around, kick his legs, and ignoring orders to stop fighting; therefore, he sprayed him in the face with a two to three second burst of Oleoresin Capsicum (OC) spray. Deputy [redacted] then switched positions with Deputy [redacted] A short time later, Suspect Miranda complied with orders to stop fighting as Deputies Wendland and Martin arrived. Together, Deputies Wendland, Martin, and [redacted] removed Suspect Miranda's handcuffs, placed his hands behind his back, and re-handcuffed him.

During the re-handcuffing process, Deputy Parra stood near Suspect Miranda's feet and saw Suspect Miranda shifting his feet and curling his leg towards a deputy's back. Suspect Miranda ignored Deputy Parra's orders to stop. Deputy Parra then crossed Suspect Miranda's left ankle over his right ankle and placed his knee on Suspect Miranda's legs. Suspect Miranda tried to separate his feet, so Deputy Parra took a hold of Suspect Miranda's right foot. Seconds later, Suspect Miranda yelled, "My leg, my leg," and stopped resisting.

Suspect Miranda sustained a fracture to the fibula bone in his right leg and was medically treated on scene by members of the Los Angeles County Fire Department. He was subsequently transferred to Lakewood Regional Medical Center for further treatment.

The EFRC determined the force used against the suspect was within Department policy. The EFRC also determined the tactics used were within Department policy.

RECOMMENDATIONS:

The EFRC recommended the unit commander, Captain Merrill Ladenheim, conduct a tactical briefing encompassing the entire incident.

SBJ:RFI:rfi

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT
A Tradition of Service

DATE: June 12, 2014
FILE NO:

OFFICE CORRESPONDENCE

FROM: STEPHEN B. JOHNSON, COMMANDER
CUSTODY SERVICES DIVISION
SPECIALIZED PROGRAMS

TO: MERRILL E. LADENHEIM, CAPTAIN
LAKEWOOD STATION

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS

Case Number:	FO2337068
Incident:	Category 3 Use of Force
Incident Date:	June 29, 2013
Unit:	Lakewood Station
Suspect:	Raul Alberto Miranda, MH/12-26-94
Involved Employees:	Deputy [redacted] #[redacted] Deputy [redacted] #[redacted] Deputy Juan-Carlos Parra #442314
EFRC Date:	June 5, 2014

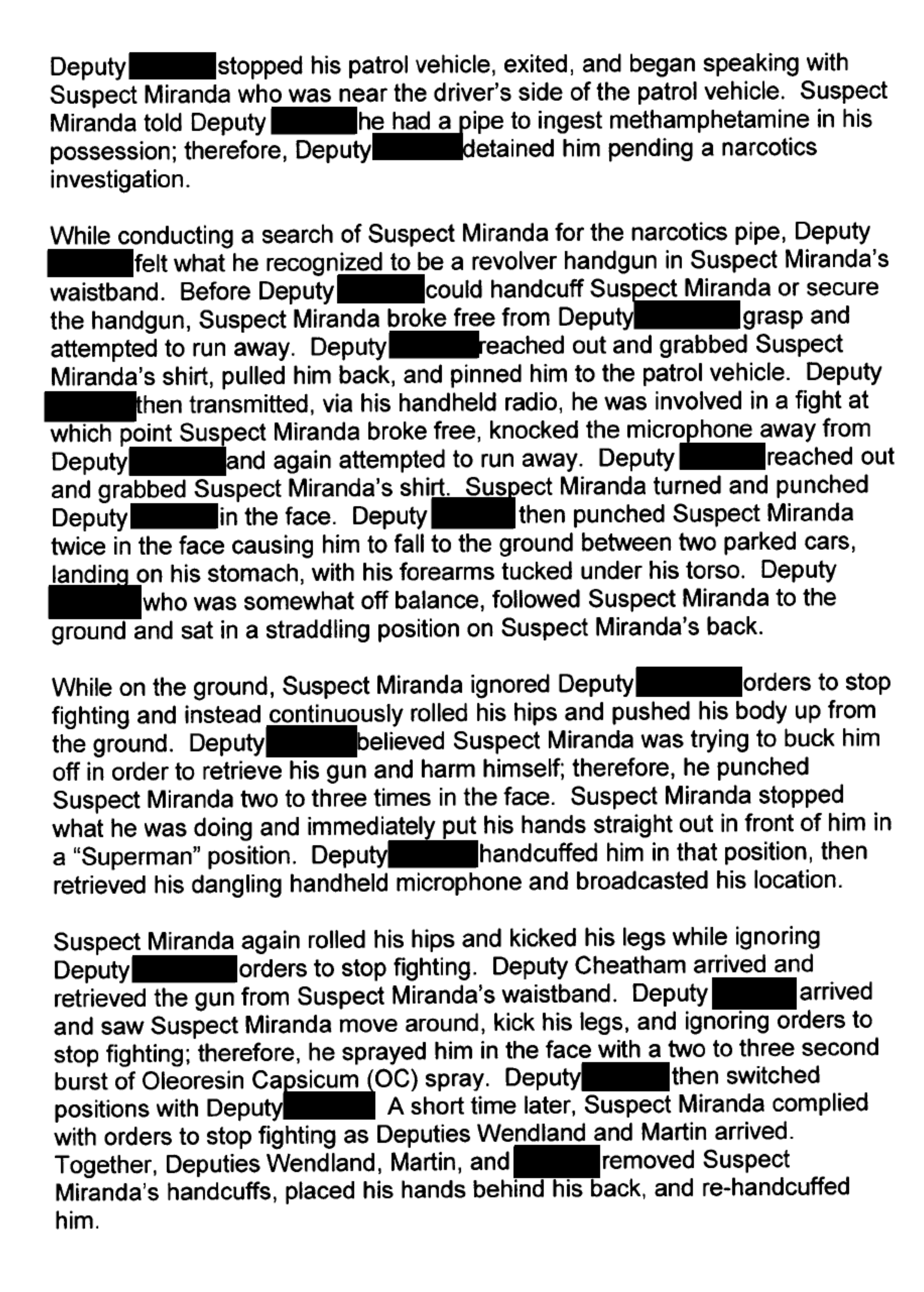
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RECOMMENDATIONS:

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SBJ:RFI:rfi

Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 913 - 12826 - 1332 - 145 | Date: 06/29/13 | Time: 2015

Location: 16400 Lakewood Boulevard | City or Station: Bellflower

Bureau/Station/Facility: South Patrol Division/Lakewood Station | Admin. Investigation: ○ YES ◉ NO

Type of Force: Personal Weapons (Hands), Chemical Agents (OC spray), Control Holds (Control Techniques)

Incident Category: ○1 ○2 ◉3 | Deputy Injury: ◉ YES ○ NO | Suspect Injury ◉ YES ○ NO

☐ Call ☒ Observation ☐ Detail ☐ Foot Pursuit ☐ Vehicle Pursuit

IAB Notified: ◉YES ○ NO Person Notified: Lt. Dominic J. Valencia Emp: [redacted] IAB Roll Out ◉ YES ○ NO

Involved Employee

E1

Employee #: [redacted] | Last Name / First Name / Middle I.: [redacted] | Rank: DSG

Sex: ◉ M ○ F | Race: W | Height: 600 | Weight: 215 | Age: [redacted] | Shift: ○ EM ○ Day ◉ PM | ◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: Lakewood Station | Work Assignment (Unit #, Module, etc.): 133T1/PM

Individual Force Used: Personal Weapons (Hands), Resistive handcuffing | ○ Directed ○ Rescue ○ Medical Assist | Individual Category ○1 ◉2 ○3

☒ Injured ☐ Treated ☐ Admitted Facility: | Coroner Case #

E2

Employee #: [redacted] | Last Name / First Name / Middle I.: [redacted] | Rank: DSG

Sex: ◉ M ○ F | Race: W | Height: 601 | Weight: 207 | Age: [redacted] | Shift: ○ EM ○ Day ◉ PM | ◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: Lakewood Station | Work Assignment (Unit #, Module, etc.): 133E/PM

Individual Force Used: Chemical Agents (OC spray), Control Hold | ○ Directed ○ Rescue ○ Medical Assist | Individual Category ◉1 ○2 ○3

☐ Injured ☐ Treated ☐ Admitted Facility: | Coroner Case #

E3

Employee #: [redacted] | Last Name: Parra | First Name: Juan-Carlos | Middle I.: | Rank: DSG

Sex: ◉ M ○ F | Race: H | Height: 511 | Weight: 225 | Age: [redacted] | Shift: ○ EM ○ Day ◉ PM | ◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: East Los Angeles Station | Work Assignment (Unit #, Module, etc.): Lakewood Station 132T2/PM

Individual Force Used: Control Hold(Control Technique) | ○ Directed ○ Rescue ○ Medical Assist | Individual Category ○1 ○2 ◉3

☐ Injured ☐ Treated ☐ Admitted Facility: | Coroner Case #

On Duty Supervisor

☐ Additional Involved Employees

Emp #: [redacted] | Last Name: Verzola, | First Name: Matthew | Middle I.: A. | Rank: SGT | Present: YES ○ NO ◉ | Witness to Incident: YES ○ NO ◉

Supervisor Completing Investigation

Emp #: [redacted] | Last Name: Khasaempanth, | First Name: Catrina | Middle I.: M. | Rank: SGT | Present: YES ○ NO ◉ | Witness to Incident: YES ○ NO ◉

Watch Commander / Supervising Lieutenant

Emp #: [redacted] | Last Name / First Name / Middle I.: [redacted] | Rank: LT

Watch Commander / Supervising Lieutenant's **Signature:** | Date | Copy Provided to Employee by: | Emp #:

Unit Commander **(Print Name)** | Unit Commander's **Signature**: | Emp #: | Date

DISCOVERY Use Only
FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 01/13)

Supervisor's Report on Use of Force
SUSPECT INFORMATION

9 1 3 - 1 2 8 2 6 - 1 3 3 2 - 1 4 5

Suspect Information

S 1

Last Name: Miranda | First Name: Raul | Middle Name: Alberto | Armed? Select: Firearm (Handgun)

AKA Last Name: | First Name: | Middle Name:

Sex: (●) Male ( ) Female | Race: H | Age: 18 | Height: 601 | Weight: 195 | D.O.B: 12-26-94 | Phone #1: ( ) H ( ) W ( ) C [redacted] | Phone #2: ( ) H ( ) W ( ) C [redacted]

Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Booking #: 3609039 | Primary Charge Code: 69PC | Secondary Charge Code: 29800a1 PC | [redacted] Criminal History

Treated on Scene? (●) YES ( ) NO | Name: L.A. County Fire | Unit: 23 | Phone #: Capt. Karp

Hospital Admission? [X] | Rec'd Treatment At: Lakewood Regional | Coroner Case #: | Mental History [ ] User's guide provides direction on this entry

By: Dr. Christopher Bowns | Address: 3300 E. South Street, Lakewood | Phone #: 562-630-6710

Under Influence: ( ) YES (●) NO | Substance: | 5150 a factor in force? ( ) YES (●) NO User's guide provides direction on this entry

Suspect Interview

Date: 06-30-13 | Time: 0045 | [X] Audiotape: | [ ] Videotape: | [X] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S_

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | [ ] Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? [ ] | Rec'd Treatment At: | Coroner Case #: | Mental History [ ] User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | [ ] Audiotape: | [ ] Videotape: | [ ] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S_

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | [ ] Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? [ ] | Rec'd Treatment At: | Coroner Case #: | Mental History [ ] User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | [ ] Audiotape: | [ ] Videotape: | [ ] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

[ ] **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

913 - 12826 - 1332 - 145

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Cheatham	Eric	N.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Lakewood Station	133/PM	○ EM ○ Day ◉ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Moreno	Michelle	L.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Lakewood Station	133E/PM	○ EM ○ Day ◉ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Wendland	Neil	J.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Lakewood Station	133H/PM	○ EM ○ Day PM	◉ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]		52	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

☐ **Additional Witness**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION - Continuation

913 - 12826 - 1332 - 145

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Martin	Shelby	L.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Lakewood Station	133J	○ EM ○ Day ◉ PM	○ Regular ◉ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	[redacted]		

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Lakewood Station	Explorer (Ride-A-Long 132T2)	○ EM ○ Day ◉ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Robarge	Timothy	

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Narcotics Bureau	Lakewood Station	○ EM ○ Day ◉ PM	◉ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

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Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Supervisor's Report on Use of Force

9 1 3 - 1 2 8 2 6 - 1 3 3 2 - 1 4 5

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Miranda	S#1	[redacted]	E#1	RS	NN	NN
[redacted]	E#1	Miranda	S#1	CT	NN	NN
Miranda	S#1	[redacted]	E#1	PH	NN	NN
[redacted]	E#1	Miranda	S#1	PH	AB	FA
[redacted]	E#1	Miranda	S#1	CT	NN	NN
Miranda	S#1	[redacted]	E#1	RS	AB	HD
[redacted]	E#1	Miranda	S#1	PH	LC	HE
[redacted]	E#1	Miranda	S#1	RH	NN	NN
Miranda	S#1	[redacted]	E#1	RS	AB	EL
[redacted]	E#2	Miranda	S#1	OC	NN	NN
[redacted]	E#2	Miranda	S#1	CT	NN	NN
Miranda	S#1	[redacted]	S#1	PK	NN	NN
Parra	E#3	Miranda	S#1	CT	FR	LE

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

FORCE REVIEW SUMMARY
CATEGORY 3

UNIT: South Patrol Division / Lakewood Station

DATE/TIME: June 29, 2013, Saturday, 2015 hours

LOCATION: 16400 Lakewood Boulevard, Bellflower, CA, 90706
Bellflower Travel Inn

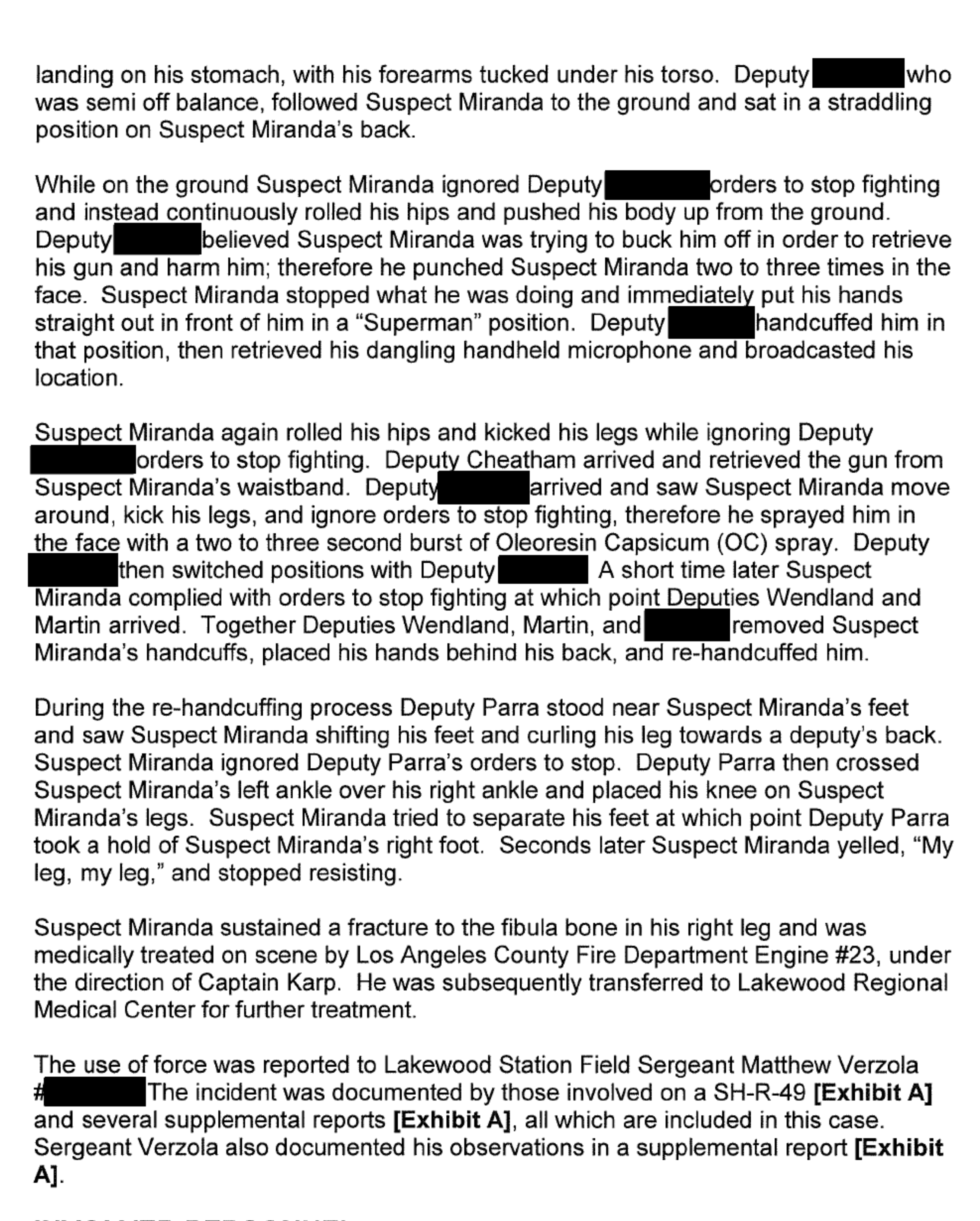
URN#: 913-12826-1332-145

IAB#: FO2337068

SUMMARY OF INCIDENT:

Deputy [redacted] was conducting a patrol check of the Bellflower Travel Inn when he was driving northbound through the rear parking lot and saw Suspect Miranda walking westbound. He recognized Suspect Miranda from previous contacts he had with him and knew him to be a narcotic's user. Deputy [redacted] stopped his patrol vehicle, exited, and began speaking with Suspect Miranda who was near the driver's side of the patrol vehicle. Suspect Miranda told Deputy [redacted] he had a pipe used to ingest methamphetamine in his possession, therefore Deputy [redacted] detained him pending a narcotics investigation.

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landing on his stomach, with his forearms tucked under his torso. Deputy [redacted] who was semi off balance, followed Suspect Miranda to the ground and sat in a straddling position on Suspect Miranda's back.

While on the ground Suspect Miranda ignored Deputy [redacted] orders to stop fighting and instead continuously rolled his hips and pushed his body up from the ground. Deputy [redacted] believed Suspect Miranda was trying to buck him off in order to retrieve his gun and harm him; therefore he punched Suspect Miranda two to three times in the face. Suspect Miranda stopped what he was doing and immediately put his hands straight out in front of him in a "Superman" position. Deputy [redacted] handcuffed him in that position, then retrieved his dangling handheld microphone and broadcasted his location.

Suspect Miranda again rolled his hips and kicked his legs while ignoring Deputy [redacted] orders to stop fighting. Deputy Cheatham arrived and retrieved the gun from Suspect Miranda's waistband. Deputy [redacted] arrived and saw Suspect Miranda move around, kick his legs, and ignore orders to stop fighting, therefore he sprayed him in the face with a two to three second burst of Oleoresin Capsicum (OC) spray. Deputy [redacted] then switched positions with Deputy [redacted] A short time later Suspect Miranda complied with orders to stop fighting at which point Deputies Wendland and Martin arrived. Together Deputies Wendland, Martin, and [redacted] removed Suspect Miranda's handcuffs, placed his hands behind his back, and re-handcuffed him.

During the re-handcuffing process Deputy Parra stood near Suspect Miranda's feet and saw Suspect Miranda shifting his feet and curling his leg towards a deputy's back. Suspect Miranda ignored Deputy Parra's orders to stop. Deputy Parra then crossed Suspect Miranda's left ankle over his right ankle and placed his knee on Suspect Miranda's legs. Suspect Miranda tried to separate his feet at which point Deputy Parra took a hold of Suspect Miranda's right foot. Seconds later Suspect Miranda yelled, "My leg, my leg," and stopped resisting.

Suspect Miranda sustained a fracture to the fibula bone in his right leg and was medically treated on scene by Los Angeles County Fire Department Engine #23, under the direction of Captain Karp. He was subsequently transferred to Lakewood Regional Medical Center for further treatment.

The use of force was reported to Lakewood Station Field Sergeant Matthew Verzola #[redacted] The incident was documented by those involved on a SH-R-49 **[Exhibit A]** and several supplemental reports **[Exhibit A]**, all which are included in this case. Sergeant Verzola also documented his observations in a supplemental report **[Exhibit A]**.

INVOLVED PERSONNEL:

Deputy [redacted]#[redacted]
Lakewood Station
South Patrol Division
Date of Employment: 01-12-06
Date Assigned to Unit: 05-27-12
Prior Founded Force: [redacted]

Deputy [redacted]#[redacted]
Lakewood Station
South Patrol Division
Date of Employment: 10-11-05
Date Assigned to Unit: 04-01-12
Prior Founded Force: [redacted]

Deputy Juan-Carlos Parra #[redacted]
[redacted](On-loan to Lakewood Station)
Central Patrol Division
Date of Employment: 10-28-96
Date Assigned to Unit: [redacted](At Lakewood for 6 months at time of incident)
Prior Founded Force: [redacted]

SUSPECT:

Miranda, Raul MH/12-26-94

Height/Weight:	601/195
Booking #	3609039
Charge:	Resist Arrest by Force, 69PC; Battery on a Peace Officer With Injury, 243(c)(1)PC; Prohibited Firearm Access, 29800(a)(1)PC; Possession of a Controlled Substance, 11377(a)PC.
Injury:	Soft tissue facial contusions, small laceration to right ear, mid-shaft fibula fracture to right lower leg, unstable ankle injury to right ankle.

According to the Consolidated Criminal History System, Suspect Miranda [redacted] A copy of Suspect Miranda's criminal history is included in this report under **Miscellaneous Documents**.

DEPARTMENT WITNESSES:

Deputy Eric Cheatham #[redacted]
Lakewood Station

South Patrol Division

Deputy Michelle Moreno #[redacted]
Lakewood Station
South Patrol Division

Deputy Neil Wendland #[redacted]
Lakewood Station
South Patrol Division

Deputy Shelby Martin #[redacted]
Lakewood Station
South Patrol Division

Explorer [redacted]
Lakewood Station
South Patrol Division

Sergeant Timothy Robarge #[redacted]
Narcotics Bureau (Lakewood Station)
Detective Division

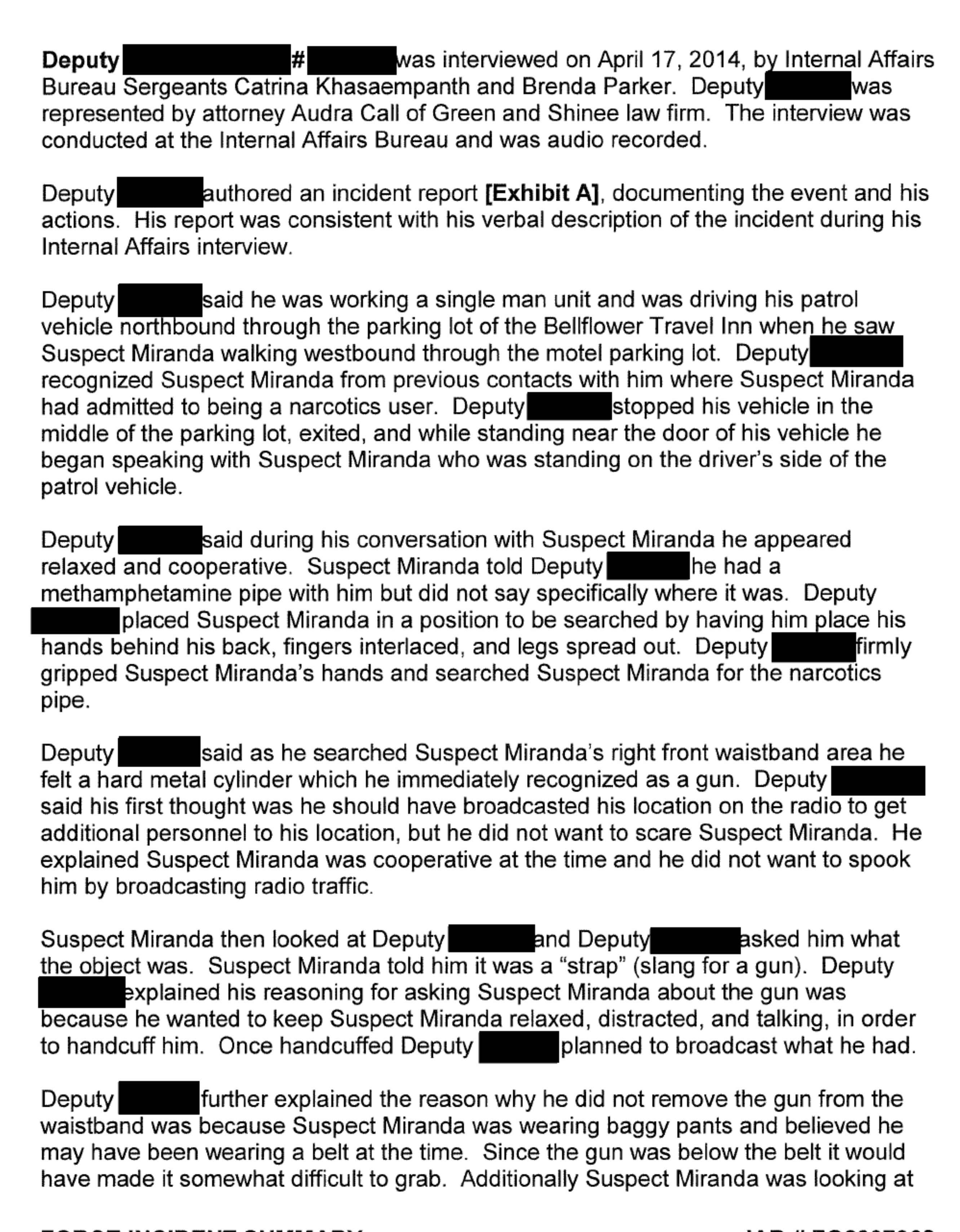
NON-DEPARTMENT WITNESS:


[redacted] F/[redacted]
[redacted]

INVOLVED EMPLOYEE STATEMENTS:

All personnel involved in this use of force, documented their actions and observations on either the first report or supplemental reports, which are included in this case. The above force summary was compiled using all the reports and subsequent interviews. In order to avoid redundancy, the purpose of the following employee statements is to highlight additional information not previously mentioned in the above force summary.

The following interview summaries are based on statements given during audio or video recorded interviews. For complete and detailed statements, refer to the digital audio/video recorded files or the verbatim transcripts, which are included in this investigation.



Deputy [redacted] **#** [redacted] was interviewed on April 17, 2014, by Internal Affairs Bureau Sergeants Catrina Khasaempanth and Brenda Parker. Deputy [redacted] was represented by attorney Audra Call of Green and Shinee law firm. The interview was conducted at the Internal Affairs Bureau and was audio recorded.

Deputy [redacted] authored an incident report **[Exhibit A]**, documenting the event and his actions. His report was consistent with his verbal description of the incident during his Internal Affairs interview.

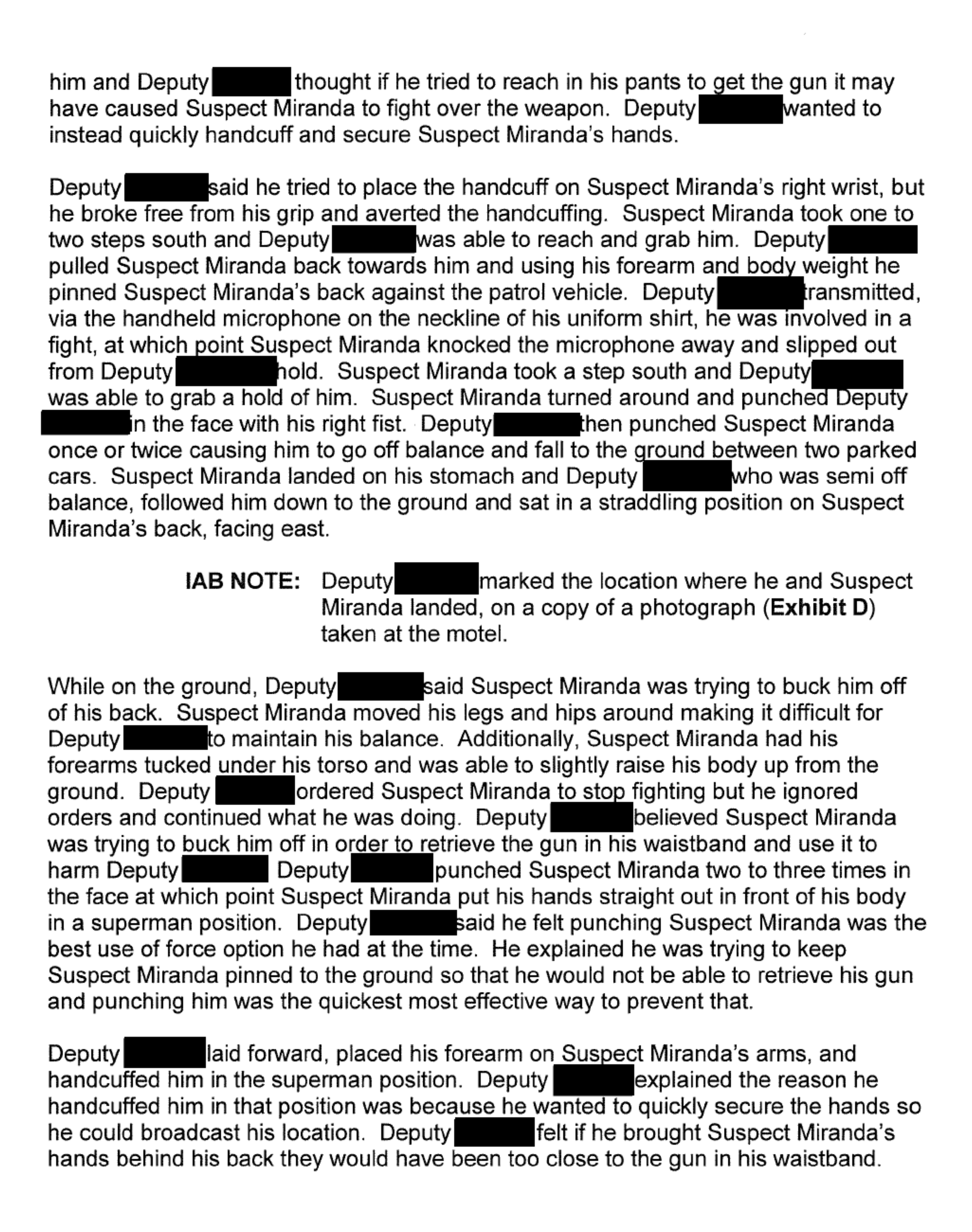
Deputy [redacted] said he was working a single man unit and was driving his patrol vehicle northbound through the parking lot of the Bellflower Travel Inn when he saw Suspect Miranda walking westbound through the motel parking lot. Deputy [redacted] recognized Suspect Miranda from previous contacts with him where Suspect Miranda had admitted to being a narcotics user. Deputy [redacted] stopped his vehicle in the middle of the parking lot, exited, and while standing near the door of his vehicle he began speaking with Suspect Miranda who was standing on the driver's side of the patrol vehicle.

Deputy [redacted] said during his conversation with Suspect Miranda he appeared relaxed and cooperative. Suspect Miranda told Deputy [redacted] he had a methamphetamine pipe with him but did not say specifically where it was. Deputy [redacted] placed Suspect Miranda in a position to be searched by having him place his hands behind his back, fingers interlaced, and legs spread out. Deputy [redacted] firmly gripped Suspect Miranda's hands and searched Suspect Miranda for the narcotics pipe.

Deputy [redacted] said as he searched Suspect Miranda's right front waistband area he felt a hard metal cylinder which he immediately recognized as a gun. Deputy [redacted] said his first thought was he should have broadcasted his location on the radio to get additional personnel to his location, but he did not want to scare Suspect Miranda. He explained Suspect Miranda was cooperative at the time and he did not want to spook him by broadcasting radio traffic.

Suspect Miranda then looked at Deputy [redacted] and Deputy [redacted] asked him what the object was. Suspect Miranda told him it was a "strap" (slang for a gun). Deputy [redacted] explained his reasoning for asking Suspect Miranda about the gun was because he wanted to keep Suspect Miranda relaxed, distracted, and talking, in order to handcuff him. Once handcuffed Deputy [redacted] planned to broadcast what he had.

Deputy [redacted] further explained the reason why he did not remove the gun from the waistband was because Suspect Miranda was wearing baggy pants and believed he may have been wearing a belt at the time. Since the gun was below the belt it would have made it somewhat difficult to grab. Additionally Suspect Miranda was looking at



him and Deputy [redacted] thought if he tried to reach in his pants to get the gun it may have caused Suspect Miranda to fight over the weapon. Deputy [redacted] wanted to instead quickly handcuff and secure Suspect Miranda's hands.

Deputy [redacted] said he tried to place the handcuff on Suspect Miranda's right wrist, but he broke free from his grip and averted the handcuffing. Suspect Miranda took one to two steps south and Deputy [redacted] was able to reach and grab him. Deputy [redacted] pulled Suspect Miranda back towards him and using his forearm and body weight he pinned Suspect Miranda's back against the patrol vehicle. Deputy [redacted] transmitted, via the handheld microphone on the neckline of his uniform shirt, he was involved in a fight, at which point Suspect Miranda knocked the microphone away and slipped out from Deputy [redacted] hold. Suspect Miranda took a step south and Deputy [redacted] was able to grab a hold of him. Suspect Miranda turned around and punched Deputy [redacted] in the face with his right fist. Deputy [redacted] then punched Suspect Miranda once or twice causing him to go off balance and fall to the ground between two parked cars. Suspect Miranda landed on his stomach and Deputy [redacted] who was semi off balance, followed him down to the ground and sat in a straddling position on Suspect Miranda's back, facing east.

> **IAB NOTE:** Deputy [redacted] marked the location where he and Suspect Miranda landed, on a copy of a photograph (**Exhibit D**) taken at the motel.

While on the ground, Deputy [redacted] said Suspect Miranda was trying to buck him off of his back. Suspect Miranda moved his legs and hips around making it difficult for Deputy [redacted] to maintain his balance. Additionally, Suspect Miranda had his forearms tucked under his torso and was able to slightly raise his body up from the ground. Deputy [redacted] ordered Suspect Miranda to stop fighting but he ignored orders and continued what he was doing. Deputy [redacted] believed Suspect Miranda was trying to buck him off in order to retrieve the gun in his waistband and use it to harm Deputy [redacted] Deputy [redacted] punched Suspect Miranda two to three times in the face at which point Suspect Miranda put his hands straight out in front of his body in a superman position. Deputy [redacted] said he felt punching Suspect Miranda was the best use of force option he had at the time. He explained he was trying to keep Suspect Miranda pinned to the ground so that he would not be able to retrieve his gun and punching him was the quickest most effective way to prevent that.

Deputy [redacted] laid forward, placed his forearm on Suspect Miranda's arms, and handcuffed him in the superman position. Deputy [redacted] explained the reason he handcuffed him in that position was because he wanted to quickly secure the hands so he could broadcast his location. Deputy [redacted] felt if he brought Suspect Miranda's hands behind his back they would have been too close to the gun in his waistband.

Deputy [redacted] said once Suspect Miranda was handcuffed he temporarily stopped moving around. Deputy [redacted] sat upright on Suspect Miranda's back, pinning his waist against the ground. Deputy [redacted] retrieved his dangling microphone and broadcasted his location while still maintaining a visual on Suspect Miranda's hands.

At the conclusion of the broadcast, Suspect Miranda again started rolling his hips trying to buck Deputy [redacted] off of him. Deputy [redacted] could also feel Suspect Miranda kicking up his legs as though he was gaining some traction. Deputy [redacted] told Suspect Miranda to stop, at which point Deputy Cheatham arrived on scene. Deputy Cheatham then retrieved the gun from Suspect Miranda's waistband.

Deputy [redacted] said the next deputy to arrive on scene was Deputy [redacted] While Deputy [redacted] remained in the straddling position and Deputy [redacted] stood in front of him, Suspect Miranda continued to kick his legs and move his hips. Deputy [redacted] then told Deputy [redacted] that Suspect Miranda had a gun. Suspect Miranda ignored orders from both deputies to stop fighting and Deputy [redacted] sprayed Suspect Miranda in the face with OC spray. Deputy [redacted] said the OC spray seemed to have somewhat calmed Suspect Miranda.

Deputy [redacted] remembered that at some point Deputy Wendland had arrived and either Deputy Wendland or Deputy [redacted] had told him to get up and off of Suspect Miranda. Deputy [redacted] got up and walked towards his car. He explained one of the deputies took his place on Suspect Miranda but could not remember who.

Deputy [redacted] #[redacted] was interviewed on April 17, 2014, by Internal Affairs Bureau Sergeants Catrina Khasaempanth and Brenda Parker. Deputy [redacted] was represented by attorney Audra Call of Green and Shinee law firm. The interview was conducted at the Internal Affairs Bureau and was audio recorded.

Deputy [redacted] authored a Supplemental report **[Exhibit A]**, documenting the event and his actions. His report was consistent with his verbal description of the incident during his Internal Affairs interview.

Deputy [redacted] said he was working with his partner, Deputy Michelle Moreno, when they responded to an assistance request regarding a deputy involved in a fight. He said Sheriff's Communication Center (SCC) broadcasted Deputy [redacted] unit number but did not have a location of where the fight was. Deputy [redacted] and his partner looked on their Mobile Digital Computer (MDC) and saw Deputy [redacted] unit identifier GPS indicated he was positioned on Lakewood Boulevard. They drove in that direction and arrived less than a minute later at the Bellflower Travel Inn.

Upon arrival to the motel Deputy [redacted] said they parked their patrol vehicle in the rear parking lot where he located Deputy [redacted] and Suspect Miranda between two

parked cars. Suspect Miranda was lying face down on the ground with his hands positioned straight out in a "Superman" position. Suspect Miranda's hands were cuffed and Deputy [redacted] was lying on top of him. Both were facing east. Deputy [redacted] saw Suspect Miranda was moving his body around and Deputy [redacted] appeared to be out of breath and exhausted from fighting.

IAB NOTE: Deputy [redacted] marked the location where he found Deputy [redacted] on a copy of a photograph **[Exhibit E]** shown to him during his IAB interview.

Deputy [redacted] placed his knee on Suspect Miranda's back and his hands on the shoulder's, in an effort to keep Suspect Miranda controlled and pinned to the ground. Both Deputies [redacted] and [redacted] yelled commands for Suspect Miranda to stop fighting but he continued to move around and kick his feet. Deputy [redacted] told Deputy [redacted] that Suspect Miranda had a gun. Deputy [redacted] was not sure if that meant Suspect Miranda currently had a gun or had one earlier. Deputy [redacted] was concerned that Suspect Miranda may reach down and retrieve a gun because of the way his hands were cuffed and the fact he continued to move around. Deputy [redacted] sprayed Suspect Miranda's face with a two to three second burst of OC spray. Deputy [redacted] explained the spray seemed to have an effect on Suspect Miranda because he stopped kicking his legs and moving around.

Deputy [redacted] then told Deputy [redacted] he would take over and switched positions with him. Deputy [redacted] straddled Suspect Miranda's back and held him down with his hands. Seconds later, while Suspect Miranda remained on the ground and was compliant, Deputy Wendland knelt down. Together both Deputy Wendland and Deputy [redacted] re-handcuffed Suspect Miranda behind his back.

Deputy [redacted] said once he took over Deputy [redacted] position on Suspect Miranda's back he was unable to see what was occurring with Suspect Miranda's feet because he was facing the opposite direction and dealing with Suspect Miranda's hands.

Deputy Juan-Carlos Parra #[redacted] was interviewed on April 17, 2014, by Internal Affairs Bureau Sergeants Catrina Khasaempanth and Brenda Parker. Deputy Parra was represented by attorney Audra Call of Green and Shinee law firm. The interview was conducted at the Internal Affairs Bureau and was audio recorded.

Deputy Parra authored a Supplemental report **[Exhibit A]**, documenting the event and his actions. His report was consistent with his verbal description of the incident during his Internal Affairs interview.

Deputy Parra said he was working a single man patrol unit, with Explorer [redacted] as a ride-a-long, when he responded to the Bellflower Travel Inn regarding a

deputy involved in a fight assistance request. Approximately three minutes later he arrived at the motel and parked his patrol vehicle in the rear parking lot where two other patrol vehicles were parked.

Upon Deputy Parra's arrival to the motel he saw Deputy [redacted] and Suspect Miranda on the ground between two parked cars near the motel office. He stood to the east of them and saw Suspect Miranda lying face down with his hands cuffed and outstretched in front of his head. There were two unknown male deputies also standing near Deputy [redacted] Deputy Parra said one of the male deputies told him to search for a gun Suspect Miranda discarded. Deputy Parra felt rather than try to get into the confined space with Deputy [redacted] Suspect Miranda, and the two male deputies he would be better utilized looking for Suspect Miranda's gun.

> **IAB NOTE:** Deputy Parra marked the location where he found Deputy [redacted] on a copies of photographs **[Exhibit F]** shown to him during his IAB interview.

Deputy Parra said as he searched for the gun he heard deputies yelling at Suspect Miranda to stop fighting. Deputy Parra stopped searching for the gun and went to help the deputies. While standing to the west of Suspect Miranda, near his feet, Deputy Parra saw one deputy kneeling and positioned directly over Suspect Miranda's left shoulder. The other deputy was kneeling over the right shoulder with both deputies facing east towards Suspect Miranda's head. Suspect Miranda was face down with the balls of his feet positioned on the ground as in a push up position. Deputy Parra said he was concerned that Suspect Miranda would be able to shift his weight or push the deputies off of him while he was in that position.

Deputy Parra saw Suspect Miranda curl his leg upward towards a deputy's back. He believed Suspect Miranda was either trying to strike the deputy or trying to gain a position of leverage in order to shift his body weight and turn over, face up. Since Deputy Parra was told Suspect Miranda was in possession of a gun, he was even more concerned Suspect Miranda may have been trying to turn over in order to retrieve a gun. Deputy Parra knelt down, grabbed Suspect Miranda's legs, crossed the left ankle over the right ankle, placed his left knee on Suspect Miranda's calf and used his body weight to push down on the legs/calf.

Deputy Parra said Suspect Miranda continued to actively resist his efforts to control his legs. Deputy Parra could feel Suspect Miranda trying to separate his feet at which point Deputy Parra took a hold of Suspect Miranda's right foot. A short time later, Suspect Miranda yelled, "My leg, my leg, and simultaneously stopped resisting. Deputy Parra said he believed Suspect Miranda may have possibly been hurt since he yelled out in pain about his leg. Deputy Parra released his hold of Suspect Miranda's foot but maintained the pressure on the calf in order to keep control of his legs.

Deputy Parra explained the reason why he placed Suspect Miranda in the position of crossing his ankles was to gain control of the legs. He added it was much easier to control both legs when they were crossed. He explained how he was trained in that technique when he attended the Sheriff's Academy as well as in patrol school. He had additional practice while training in Jiu Jitzu.

Deputy Parra was asked if he felt he could have used any other force option at that time. The following is an excerpt of his interview (page 14 of his interview transcripts) which includes his answer:

Khasaempanth: Do you feel you could have used any other force option other than the control hold that you used on the suspect at that point?

Parra: I do not. I felt, I felt then and I continue to feel now that given the, the danger of the situation, the fact that it was an armed suspect who had already demonstrated a propensity towards assaulting deputies and the fact that I saw him attempting to re-position himself to either place the deputies off balance, or simply to be able to give himself a position where he might be able to access any other objects that he might have on him including a weapon, that the technique that I used was the best technique to control his legs and his legs needed to be controlled.

SUSPECT'S STATEMENT:

Suspect Miranda was interviewed by Lakewood Station Operation Safe Streets (O.S.S.) Detectives Jose Carbajal #[redacted] and Lorena Rodriguez #[redacted] on July 1, 2013. The interview was conducted at Los Angeles County Medical Center (L.C.M.C.) jail ward and was audio recorded. A supplemental report regarding the interview was written by Detective Carbajal and is attached with this case **(Exhibit A)**.

Suspect Miranda was also interviewed on June 30, 2013, by Internal Affairs Bureau Sergeants Catrina Khasaempanth and Laura Haynes. The interview was conducted at Lakewood Regional Medical Center and was recorded. The following is a summary of that interview.

Suspect Miranda said he was an informant for Sergeant Timothy Robarge #[redacted] and had told him about a house in Bellflower that was selling narcotics. He described the house as being located right behind the Bellflower Travel Inn. He said Sergeant Robarge asked him if he could buy a baggie of narcotics from that residence and give it to him, in order to help him (Sergeant Robarge) show cause for a search warrant on

that house.

Suspect Miranda said the gun was the best chance he had at getting anything from that house to give to Sergeant Robarge. He took the gun, put it in a clear plastic bag and placed it in his waistband. His plan was to go home, call Sergeant Robarge and tell him he had the gun for him but he was instead stopped by Deputy [redacted]

Suspect Miranda said after he placed the gun inside his waistband he walked through the backyard of the residence and into the parking lot of the Bellflower Travel Inn. As he passed the last set of cars in the parking lot, Deputy [redacted] drove in and told Suspect Miranda to come to him.

Suspect Miranda said he thought Deputy [redacted] must have recognized him from the last time he was pulled over because Deputy [redacted] quickly asked him if he had a pipe (referring to a pipe used to inhale narcotics) in his possession. Suspect Miranda told him he did not have a pipe but was extremely nervous and stuck his hand in his pocket as he said no. Deputy [redacted] told Suspect Miranda to come towards him and begun to search Suspect Miranda's person.

Suspect Miranda said he was extremely nervous about being caught with a gun. As Deputy [redacted] was searching him and touched the gun in his waistband he tried to run away. He said he tried to push Deputy [redacted] off of him and remembered Deputy [redacted] talking into his handheld radio. Deputy [redacted] grabbed Suspect Miranda and told him to stop resisting. Suspect Miranda said he continued to push Deputy [redacted] and resist his efforts to control him because he wanted to get away from him and go to his house.

Suspect Miranda said he never tried to grab the gun he had in his waistband but at one point he had tried to pull his pants up and it may have been misconstrued as him trying to pull the gun from his waistband. He explained at that moment Deputy [redacted] used more force on him but he did not describe what type of force.

Suspect Miranda said when additional deputy personnel arrived they restrained him. He explained he was lying face down on the ground when deputies tried to handcuff him. He described his body as being face down and twisted. When he was able to straighten his leg, a deputy landed on his leg and he felt a sharp pain. Suspect Miranda believed he had not been handcuffed until the point when all the deputies turned him face down and handcuffed him behind his back.

Suspect Miranda said at no point was he hit by Deputy [redacted] He said when the additionally deputies arrived he only remembered them grabbing onto him tightly. He further explained the deputies did what they were supposed to do and did their job correctly.

DEPARTMENT WITNESS STATEMENTS:

The following interview summaries are based on statements given during audio or video recorded interviews. For complete and detailed statements, refer to the digital audio/video recorded files or the verbatim transcripts, which are included in this investigation.

Deputy Eric Cheatham #[redacted] was interviewed on April 16, 2014, by Internal Affairs Bureau Sergeants Catrina Khasaempanth and Sonja Bracken. Deputy Cheatham was represented by attorney Audra Call of Green and Shinee law firm. The interview was conducted at the Internal Affairs Bureau and was audio recorded.

Deputy Cheatham authored a Supplemental report **[Exhibit A]**, documenting the event and his actions. His report was consistent with his verbal description of the incident during his Internal Affairs interview.

Deputy Cheatham said he was working a single person patrol unit when he responded to the Bellflower Travel Inn regarding an assistance request. He remembered the assistance request was for a deputy involved in a fight.

When Deputy Cheatham arrived at the motel he said he saw Deputy [redacted] fighting with Suspect Miranda on the ground, between two parked cars in the southwest portion of the motel parking lot near the motel office. He saw Deputy [redacted] was sitting on top of Suspect Miranda's back trying to control him while Suspect Miranda was on his stomach, twisting his body and trying to turn from his stomach onto his side. Suspect Miranda was also kicking his legs and his arms were stretched out in front of him with his hands stretched past his head and cuffed. Both Deputy [redacted] and Suspect Miranda were facing in the same direction.

> **IAB NOTE:** Deputy Cheatham marked the location where he found Deputy [redacted] on a copy of a photograph **[Exhibit G]** shown to him during his IAB interview.

Deputy Cheatham said Deputy [redacted] told him Suspect Miranda had a gun in his waistband and Deputy [redacted] while still on top of Suspect Miranda, tilted Suspect Miranda's body onto his side in order to expose the waistband. Deputy Cheatham removed the gun from Suspect Miranda's waistband. As Deputy Cheatham took control of the gun and backed out, additional assisting personnel (Deputies Moreno and [redacted] had arrived and were behind him. He knew once he backed out from between the cars they would go in and help Deputy [redacted] and it would be safe for him to go to his patrol vehicle and secure the gun.

Deputy Cheatham said after he went to his patrol vehicle to secure the gun, he stayed

near his vehicle which was approximately fifteen feet away. He said there was sufficient personnel assisting Deputy [redacted] and they all were somewhat encircled around Suspect Miranda which made it hard to see what exactly was occurring. Deputy Cheatham did hear Suspect Miranda scream and it sounded to him as though he was still being combative with deputy personnel.

Deputy Cheatham remembered he had also heard a voice, who he thought was Deputy [redacted] tell assisting deputies on scene that Suspect Miranda had a gun. After hearing that statement Deputy Cheatham told personnel he had already recovered a gun from Suspect Miranda and it had been secured in the trunk of his patrol vehicle. Deputy Cheatham explained there may have been a period of time when assisting personnel thought the gun was still unaccounted for.

Deputy Michelle Moreno #[redacted] was interviewed on April 16, 2014, by Internal Affairs Bureau Sergeants Catrina Khasaempanth and Sonja Bracken. Deputy Moreno was represented by Audra Call of Green and Shinee law firm. The interview was conducted at the Internal Affairs Bureau and was audio recorded.

Deputy Moreno authored a Supplemental report **[Exhibit A]**, documenting the event and her actions. Her report was consistent with her verbal description of the incident during her Internal Affairs interview.

Deputy Moreno said she was working with her partner Deputy Morgan [redacted] when they responded to the Bellflower Travel Inn regarding a deputy involved in a fight assistance request.

Deputy Moreno said they arrived to the motel approximately two to three minutes later and parked their patrol vehicle in the middle of the motel parking lot. Deputy Moreno exited the passenger side of the patrol vehicle and ran northbound in the parking lot. She explained based on her past experiences at that motel most of the activity at that motel occurs towards the far north portion of the lot. Within seconds she heard a loud commotion, so she turned and ran towards it. She saw Deputies [redacted] and [redacted] along with Suspect Miranda, on the ground between two parked cars in front of the manager's office.

> **IAB NOTE:** Deputy Moreno marked the location where she found Deputy [redacted] on copies of photographs **[Exhibit H]** shown to her during her IAB interview.

Deputy Moreno saw Suspect Miranda lying face down on the ground with his hands cuffed in front of his head, and Deputy [redacted] was straddling his back with both of them facing east. Deputy [redacted] had one knee on Suspect Miranda's back and the other foot planted on the ground. She saw Suspect Miranda moving his hips side to

side as though he was trying to get up. Deputy Moreno heard both deputies order Suspect Miranda to stop fighting and to leave his hands out. Shortly thereafter, Deputy Moreno saw Deputy [redacted] get up from his straddling position and move towards the head and hand area of Suspect Miranda. Deputy [redacted] then moved into Deputy [redacted] previous straddling position on Suspect Miranda's back.

Deputy Moreno said she heard someone ask where the gun was so she began to search for it. She explained the reason she searched for the gun as opposed to helping with Suspect Miranda was because it appeared Deputies [redacted] and [redacted] had control of Suspect Miranda and he appeared to be compliant.

Deputy Moreno saw no other interactions with Suspect Miranda until the point when deputy personnel were helping him up from the ground to be treated by paramedics. At that point she also learned that Deputy Cheatham had recovered the gun.

Deputy Neil Wendland #[redacted] was interviewed on April 16, 2014, by Internal Affairs Bureau Sergeants Catrina Khasaempanth and Sonja Bracken. He was represented by his attorney, Audra Call from the law firm of Green and Shinee. The interview was conducted at the Internal Affairs Bureau and was audio recorded.

Deputy Wendland authored a Supplemental report **[Exhibit A]**, documenting the event and his actions. His report was consistent with his verbal description of the incident during his Internal Affairs interview.

Deputy Wendland said he responded to the Bellflower Travel Inn regarding a deputy involved in a fight assistance request.

> **IAB NOTE:** Deputy Wendland, who is a [redacted] was assigned to work with Deputy Mike Sanchez, [redacted] on the day of this incident. However, at the time of the assistance request Deputy Sanchez was at Lakewood Station [redacted]. Deputy Sanchez [redacted] Deputy Wendland continued to handle calls for service in the interim.

Deputy Wendland arrived at the motel approximately less than one minute later and parked at the rear of the motel on Oak Street. As he ran towards deputies and Suspect Miranda he heard what he thought sounded like Deputy [redacted] voice yelling, "Stop resisting." He also heard Suspect Miranda screaming but did not know what about. As he got closer he saw Suspect Miranda on the ground between two parked vehicles, lying on his stomach, with his hands cuffed out in front of him in a prone type position. Deputies [redacted] Martin, [redacted] and Parra were also present

with Suspect Miranda and Deputy Wendland could smell that pepper spray had been used but did not see who sprayed it.

> **IAB NOTE:** Deputy Wendland marked the location where he found the deputies and Suspect Miranda on copies of photographs **[Exhibit I]** shown to him during his IAB interview.

Deputy Wendland saw Deputy [redacted] on his knees in a straddling position over Suspect Miranda's waist and lower back area facing the same easterly direction as Suspect Miranda. Deputy Parra was near Suspect Miranda's back legs. Deputy Martin was on Suspect Miranda's left side and appeared to have a hold of Suspect Miranda. Deputy Wendland said Suspect Miranda was compliant at that time so Deputy Martin's hold would not have been any type of use of force. Deputy [redacted] was standing and overlooking Suspect Miranda. Deputy Wendland described Deputy [redacted] as being out of breath, he had a red face, and his uniform was disheveled.

Deputy Wendland asked the deputies what they had and if anything was outstanding. He heard someone say there was a gun outstanding and Deputy Wendland recommended that they re-handcuff Suspect Miranda and search him. Deputy Wendland also told Deputy [redacted] everything was okay and he could back up while he and assisting deputies dealt with Suspect Miranda.

Deputy Wendland said as he stood to the right side of Suspect Miranda's right shoulder, he told Suspect Miranda it was over and he should not fight anymore. Although Deputy Wendland had never seen Suspect Miranda giving any type of resistance, his reasoning for telling him to stop fighting was to see if Suspect Miranda was receptive or if he was still in an aggressive state of mind. Deputy Wendland said Suspect Miranda agreed to not fight and was compliant with his orders. Deputy Wendland, along with who he thought was either Deputy Martin or Deputy [redacted] re-handcuffed Suspect Miranda behind his back. Deputy Wendland said Suspect Miranda was compliant throughout the entire re-handcuffing process.

Deputy Wendland said after Suspect Miranda was re-handcuffed he advised deputies on scene that Suspect Miranda did not have a gun on him and he heard an unknown deputy advise the gun had been located.

Deputy Shelby Martin #[redacted] was interviewed on April 30, 2014, by Internal Affairs Bureau Sergeants Catrina Khasaempanth and Sonja Bracken. Deputy Martin chose to conduct this interview without being represented by an attorney. The interview was conducted at the Internal Affairs Bureau and was audio recorded.

Deputy Martin said she was working an overtime position as unit 133J when she heard SCC broadcast that a deputy was involved in a fight.

IAB NOTE: Deputy Martin's unit 133J was not listed on the PM shift in-service due to the fact it was an overtime position assigned to a special detail.

Deputy Martin said she looked on her patrol vehicle's MDC for the unit identifier SCC had broadcasted was involved in the fight. She located the unit on the GPS, saw he was at the Bellflower Travel Inn and notified SCC of the deputy's location. Deputy Martin along with her partner Deputy Greg Emerson #[redacted](driver) drove to the motel and arrived approximately 40 seconds later.

Deputy Martin said upon her arrival she saw Suspect Miranda on the ground with Deputy [redacted] sitting on top of him in a straddling position. Suspect Miranda was face down on the ground and his wrists were handcuffed above his head. As she moved closer Deputy Wendland arrived and they both told Suspect Miranda he needed to cooperate with their orders. She remembered Suspect Miranda looked as though his face was bleeding and he was crying. She added Suspect Miranda was lying on the ground and not showing any type of resistance. Suspect Miranda agreed to cooperate and together Deputies Wendland and Martin un-cuffed him, placed his hands behind his back, and re-handcuffed him.

Deputy Martin was asked if Deputy [redacted] ever got up from Suspect Miranda's back. Deputy Martin said she believed at some point Deputy [redacted] stood near Suspect Miranda's lower body but she was focused more on getting Suspect Miranda re-handcuffed.

Deputy Martin said Suspect Miranda was compliant throughout her contact with him and never saw personnel using force on him. Additionally she never saw Suspect Miranda get sprayed with OC spray nor did she smell the odor of any pepper spray.

Deputy Martin said upon her arrival at the motel when she ran towards Suspect Miranda, her partner Deputy Emerson walked towards Deputy Cheatham who was holding a gun at that time.

Explorer [redacted] #[redacted] was interviewed on June 30, 2013, by Internal Affairs Bureau Sergeants Catrina Khasaempanth and Laura Haynes. The interview was conducted at the Lakewood Sheriff's Station and was audio recorded.

Explorer [redacted] said she was on a ride-a-long with Deputy Parra when they responded to the Bellflower Travel Inn regarding a deputy involved in a fight assistance request. She said they were the third patrol car to arrive at the motel. Upon her arrival she saw three deputies trying to handcuff Suspect Miranda who was on the ground, between to parked vehicles, in front of the motel office. She added that Suspect Miranda was not handcuffed at that point.

Explorer [redacted] said she stood approximately ten feet away from the deputies and saw Suspect Miranda lying face down and kicking his legs up and down. She said the deputies told Suspect Miranda to stop fighting but he kept moving around. She saw a female deputy standing near Suspect Miranda's head trying to grab his hands and two male deputies were on each side of Suspect Miranda. A few seconds later she heard Suspect Miranda yell, "My leg, my leg." Shortly thereafter Explorer [redacted] saw deputies help Suspect Miranda get up and he was treated by paramedics.

Explorer [redacted] said she never saw any pepper spray being used nor did she smell any.

Sergeant Timothy Robarge #[redacted] was interviewed on May 15, 2014, by Internal Affairs Bureau Sergeant Catrina Khasaempanth. Sergeant Robarge chose to conduct this interview without being represented by an attorney. The interview was conducted telephonically and was audio recorded.

Sergeant Robarge said he remembered talking to Suspect Miranda after he was arrested for narcotics charges on June 27, 2013. Sergeant Robarge was the only narcotics detective working in the office at the time when he was contacted by a patrol deputy. The deputy told Sergeant Robarge he had arrested Suspect Miranda for narcotics charges and Suspect Miranda was interested in talking to narcotics detectives regarding some information he had. Sergeant Robarge interviewed Suspect Miranda and during that conversation he told Suspect Miranda in order for him to become an informant for narcotics bureau he needed to call back and speak with Detective [redacted] #[redacted] Sergeant Robarge said Suspect Miranda never called back Detective [redacted] or him and therefore never became signed up as an informant.

Sergeant Robarge said he never told Suspect Miranda to buy narcotics from a house near the Bellflower Travel Inn.

NON DEPARTMENT WITNESS STATEMENT:

[redacted] was interviewed on June 30, 2013, by Internal Affairs Bureau Sergeant Catrina Khasaempanth. The interview was conducted in private at the [redacted] and was audio recorded.

Ms. [redacted] said she was working in the [redacted] of the motel, when she heard raised voices and someone said, "Stop, stop." She looked out the window of the office into the parking lot and saw Deputy [redacted] fighting with Suspect Miranda. She saw Suspect Miranda hitting Deputy [redacted] as he was trying to stop him. Deputy [redacted] took Suspect Miranda to the ground and they landed in the parking stalls in front of Ms. [redacted] office window. Deputy [redacted] continued to struggle with Suspect Miranda as

he attempted to handcuff him. At some point during the struggle Ms. [redacted] saw Deputy [redacted] talking into his handheld microphone and she believed he was calling for additional deputies to respond to his aid.

A short time later, additional deputies arrived and Ms. [redacted] saw two or three deputies struggle with Suspect Miranda while he was on the ground. She heard deputies telling Suspect Miranda several times to stop what he was doing. Ms. [redacted] said it appeared to her as though Suspect Miranda was trying to get away from the deputies. As the struggle continued she heard Suspect Miranda scream. Ms. [redacted] said she remembered seeing deputies trying to handcuff Suspect Miranda while he was on the ground but the next time she saw him he was sitting on the stairs and handcuffed.

SUSPECT'S INJURIES:

Suspect Miranda was transported to Lakewood Regional Medical Center and treated for his injuries by Doctor Christopher Bounds. Suspect Miranda sustained a soft tissue facial contusions, a small laceration to his right ear, a mid-shaft fibula fracture to his right lower leg, and an unstable ankle injury to his right ankle. See photographs **[Exhibit B]** taken of Suspect Miranda for further.

Doctor Bounds said Suspect Miranda's leg injuries were consistent with someone applying pressure on his leg during a struggle. Additionally, the right ear injury was also consistent with occurring during the struggle with deputy personnel.

Suspect Miranda was later transported to Los Angeles County Medical Center where he was booked into the Jail Ward of the hospital and received additional medical care.

INJURIES TO DEPUTY PERSONNEL:

Deputy [redacted] suffered superficial abrasions to his left ear, right elbow, and right hand but did not seek medical attention for those injuries.

PHYSICAL EVIDENCE:

Photographs **[Exhibit B]** of the gun and narcotics pipe found on Suspect Miranda were submitted with this case. Additional photographs **[Exhibit B]** of Suspect Miranda and Deputy [redacted] injuries are also submitted with this case.

There were surveillance cameras at the motel; however per Witness [redacted] the video footage data was not saved.

REVIEW OF RADIO BROADCAST:

The radio broadcasts from Lakewood Dispatch 14 **[Exhibit C]** were reviewed by the Internal Affairs Bureau investigator.

At approximately 2028 hours (thirty-six seconds into the recording) 133T1, Deputy [redacted] requested emergency clearance and SCC acknowledged. Fourteen seconds later (fifty seconds into the recording) Deputy [redacted] advised he was involved in a fight. SCC continuously tried to make contact with Deputy [redacted] but there was no response. Twenty seconds after Deputy [redacted] last radio transmission, SCC asked if anyone knew his last location. A male voice advised Deputy [redacted] last location was at Lakewood Boulevard and Mayne Street. Deputy Martin then advised Deputy [redacted] location was on the east side of Lakewood Boulevard, between Oak Street and Mayne Street.

At approximately 2029 hours, field supervisor Sergeant Verzola, unit 130S, advised he was enroute to Deputy [redacted] location with a two minute estimated time of arrival.

At approximately 2030 hours (two minutes and seven seconds into the recording), Deputy [redacted] advised he was at the Travel Inn located at Lakewood Boulevard and Oak Street. He further advised Suspect Miranda was handcuffed but handcuffed in the front and requested units to respond Code 3. Twenty seconds later aero bureau advised they were not on scene but were seconds away.

At approximately 2031 hours (two minutes and fifty-seven seconds into recording), a male voice advised the situation was under control and no further assistance was needed. Fourteen seconds later paramedics were requested for Suspect Miranda. Sergeant Verzola, unit 130S, advised he was still responding to the scene.

Approximately two minutes and twenty-one seconds elapsed from the time Deputy [redacted] broadcasted his initial emergent radio traffic to the time deputy personnel advised the situation was under control.

WEAPONS USED BY DEPUTY PERSONNEL:

None

WEAPONS USED BY SUSPECTS:

None

CRIMINAL INVESTIGATOR AND CHARGES FILED:

Investigator: Operations Safe Streets (OSS) Detective Jose Carbajal, #[redacted]

Charges Filed: 69PC- Obstruct/Resist a Peace Officer by force; 29800(a)(1)PC- Firearm Access Violation; 11377(a)HS- Possession of a Controlled Substance

On November 04, 2013, Suspect Miranda was convicted of the aforementioned charges and sentenced to three years of formal probation and eighty-two days in the Los Angeles County Jail.